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# HOUSE BILL No. 1359

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 6-6-1.1-903; IC 6-6-2.5-11; IC 9-13-2; IC 9-18; IC 9-19; IC 9-20-2-2; IC 9-21-8; IC 9-24-1-7; IC 9-29-5; IC 10-11-2-26; IC 13-11-2-245; IC 26-1-9.1-311.

**Synopsis:** Motorized farm vehicles. Changes the defined term "implement of husbandry" to "implement of agriculture". Redefines the term "farm tractor" for purposes of the motor vehicle code. Repeals the definitions of "farm machinery", "farm tractor used in transportation", and "special farm machinery", and repeals references to those terms within the motor vehicle code. Deletes an obsolete reference to a financing statement for a farm tractor. Repeals the license fee for certain vehicles used in farming operations.

**Effective:** July 1, 2004.

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## Van Haaften, Cherry

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January 20, 2004, read first time and referred to Committee on Roads and Transportation.

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Introduced

Second Regular Session 113th General Assembly (2004)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2003 Regular Session of the General Assembly.

## HOUSE BILL No. 1359

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

*Be it enacted by the General Assembly of the State of Indiana:*

SECTION 1. IC 6-6-1.1-903 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 903. (a) A person is entitled to a refund of gasoline tax paid on gasoline purchased or used for the following purposes:

- (1) Operating stationary gas engines.
- (2) Operating equipment mounted on motor vehicles, whether or not operated by the engine propelling the motor vehicle.
- (3) Operating a tractor used for agricultural purposes.
- (3.1) Operating implements of husbandry agriculture (as defined in IC 9-13-2-77).
- (4) Operating motorboats or aircraft.
- (5) Cleaning or dyeing.
- (6) Other commercial use, except propelling motor vehicles operated in whole or in part on an Indiana public highway.
- (7) Operating a taxicab (as defined in section 103 of this chapter).

(b) If a refund is not issued within ninety (90) days of filing of the verified statement and all supplemental information required by

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IC 6-6-1.1-904.1, the department shall pay interest at the rate established by IC 6-8.1-9 computed from the date of filing of the verified statement and all supplemental information required by the department until a date determined by the administrator that does not precede by more than thirty (30) days the date on which the refund is made.

SECTION 2. IC 9-13-2-56 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 56. (a) "Farm tractor" means, except as provided in subsection (b), a motor vehicle designed and used primarily as a farm implement for drawing ~~farm~~ machinery ~~including plows, mowing machines, harvesters, and other implements of husbandry~~, used on a farm and, when using the highways, in traveling from one (1) field or farm to another or to or from places of repairs. The term includes a wagon, trailer, or other vehicle pulled by a farm tractor.

(b) "Farm tractor", for purposes of IC 9-21, means a motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines, and other implements of ~~husbandry~~ **agriculture**.

SECTION 3. IC 9-13-2-60 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 60. "Farm wagon" means a wagon, other than an implement of ~~husbandry~~ **agriculture**, used primarily for transporting farm products and farm supplies in connection with a farming operation.

SECTION 4. IC 9-13-2-77 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 77. "Implement of ~~husbandry~~ **agriculture**" means ~~special farm machinery, farm machinery, and other agricultural implements, pull type and self-propelled, equipment used for the: transportation and~~

- (1) transport;
- (2) delivery; or
- (3) application;

of ~~plant food materials or agricultural chemicals~~ **crop inputs, including seed, fertilizers, and crop protection products**, and vehicles designed to transport ~~farm~~ **these types of agricultural** implements.

SECTION 5. IC 9-13-2-105, AS AMENDED BY P.L.265-2003, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 105. (a) "Motor vehicle" means, except as otherwise provided in this section, a vehicle that is self-propelled. The term does not include a farm tractor, an implement of ~~husbandry~~ **agriculture**, or an electric personal assistive mobility device.

(b) "Motor vehicle", for purposes of IC 9-21, means:

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(1) a vehicle except a motorized bicycle that is self-propelled; or

(2) a vehicle that is propelled by electric power obtained from overhead trolley wires, but not operated upon rails.

(c) "Motor vehicle", for purposes of IC 9-19-10.5 and IC 9-25, means a vehicle that is self-propelled upon a highway in Indiana. The term does not include a farm tractor.

(d) "Motor vehicle", for purposes of IC 9-30-10, does not include a motorized bicycle.

SECTION 6. IC 9-13-2-180 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 180. "Tractor" means a motor vehicle designed and used primarily for drawing or propelling trailers, semitrailers, or vehicles of any kind. The term does not include the following:

(1) A farm tractor.

~~(2) A farm tractor used in transportation.~~

~~(3)~~ (2) A tractor that is used exclusively for drawing a passenger carrying semitrailer.

SECTION 7. IC 9-13-2-188 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 188. (a) "Truck" means a motor vehicle designed, used, or maintained primarily for the transportation of property.

(b) "Truck", for purposes of IC 9-21-8-3, includes the following:

(1) A motor vehicle designed and used primarily for drawing another vehicle and constructed to carry a load other than a part of the weight of the vehicle and load so drawn.

(2) A motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines, and other implements of ~~husbandry~~ **agriculture**.

SECTION 8. IC 9-13-2-196, AS AMENDED BY P.L.143-2002, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 196. (a) "Vehicle" means, except as otherwise provided in this section, a device in, upon, or by which a person or property is, or may be, transported or drawn upon a highway.

(b) "Vehicle", for purposes of IC 9-14 through IC 9-18, does not include the following:

(1) A device moved by human power.

(2) A vehicle that runs only on rails or tracks.

(3) A vehicle propelled by electric power obtained from overhead trolley wires but not operated upon rails or tracks.

(4) A firetruck and apparatus owned by a person or municipal division of the state and used for fire protection.

(5) A municipally owned ambulance.

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(6) A police patrol wagon.

(7) A vehicle not designed for or employed in general highway transportation of persons or property and occasionally operated or moved over the highway, including the following:

(A) Road construction or maintenance machinery.

(B) A movable device designed, used, or maintained to alert motorists of hazardous conditions on highways.

(C) Construction dust control machinery.

(D) Well boring apparatus.

(E) Ditch digging apparatus.

(F) An implement of ~~husbandry~~ **agriculture**.

(G) An invalid chair.

(H) A yard tractor.

(8) An electric personal assistive mobility device.

(c) For purposes of IC 9-20 and IC 9-21, the term does not include devices moved by human power or used exclusively upon stationary rails or tracks.

(d) For purposes of IC 9-22, the term refers to an automobile, a motorcycle, a truck, a trailer, a semitrailer, a tractor, a bus, a school bus, a recreational vehicle, or a motorized bicycle.

(e) For purposes of IC 9-30-5, IC 9-30-6, IC 9-30-8, and IC 9-30-9, the term means a device for transportation by land or air. The term does not include an electric personal assistive mobility device.

SECTION 9. IC 9-18-1-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 1. This article does not apply to the following:

(1) Farm wagons.

(2) Farm tractors.

~~(3) Farm machinery.~~

~~(4)~~ **(3)** A new motor vehicle if the new motor vehicle is being operated in Indiana solely to remove it from an accident site to a storage location because:

(A) the new motor vehicle was being transported on a railroad car or semitrailer; and

(B) the railroad car or semitrailer was involved in an accident that required the unloading of the new motor vehicle to preserve or prevent further damage to it.

SECTION 10. IC 9-18-2-26 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 26. (a) License plates shall be displayed as follows:

(1) For a motorcycle, trailer, semitrailer, or recreational vehicle, upon the rear of the vehicle.

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(2) For a ~~farm tractor or~~ tractor, upon the front of the vehicle.

(3) For every other vehicle, upon the rear of the vehicle.

(b) A license plate shall be securely fastened, in a horizontal position, to the vehicle for which the plate is issued:

(1) to prevent the license plate from swinging;

(2) at a height of at least twelve (12) inches from the ground, measuring from the bottom of the license plate;

(3) in a place and position that are clearly visible;

(4) maintained free from foreign materials and in a condition to be clearly legible; and

(5) not obstructed or obscured by tires, bumpers, accessories, or other opaque objects.

(c) The bureau may adopt rules the bureau considers advisable to enforce the proper mounting and securing of license plates on vehicles consistent with this chapter.

SECTION 11. IC 9-18-2-29 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 29. Except as otherwise provided, before:

(1) a motor vehicle;

(2) a motorcycle;

(3) a truck;

(4) a trailer;

(5) a semitrailer;

(6) a tractor;

~~(7) an implement of husbandry or a farm tractor used in transportation;~~

~~(8) (7) a bus;~~

~~(9) (8) a school bus; or~~

~~(10) (9) a recreational vehicle; or~~

~~(11) special farm machinery;~~

is operated or driven on a highway, the person who owns the vehicle must register the vehicle with the bureau and pay the applicable registration fee.

SECTION 12. IC 9-19-1-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 1. (a) Except as provided in ~~subsections~~ **subsection** (b) ~~through (c)~~ and as otherwise provided in this chapter, this article does not apply to the following with respect to equipment on vehicles:

(1) Implements of ~~husbandry~~ **agriculture**.

(2) Road machinery.

(3) Road rollers.

(4) Farm tractors.

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(5) Vehicle chassis that:

(A) are a part of a vehicle manufacturer's work in process; and

(B) are driven under this subdivision only for a distance of less than one (1) mile.

~~(b) A farm type dry or liquid fertilizer tank trailer or spreader that is drawn or towed on a highway by:~~

~~(1) a farm tractor; or~~

~~(2) a motor vehicle at a speed not greater than thirty (30) miles per hour;~~

~~is considered an implement of husbandry with respect to equipment requirements and all the requirements of this article regarding lamps on combinations, including farm tractors; apply.~~

~~(c)~~ **(b)** A farm type dry or liquid fertilizer tank trailer or spreader that is drawn or towed on a highway by a motor vehicle other than a farm tractor at a speed greater than thirty (30) miles per hour is considered a trailer for equipment requirement purposes and all equipment requirements concerning trailers apply.

SECTION 13. IC 9-19-1-3, AS AMENDED BY P.L.1-1999, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 3. Sections 4 through 5 of this chapter and IC 9-19-4-3, IC 9-19-4-4, and IC 9-19-5-7:

(1) do not apply to:

(A) machinery or equipment used in highway construction or maintenance by the Indiana department of transportation, counties, or municipalities;

(B) farm drainage machinery;

(C) implements of ~~husbandry~~ **agriculture** when used during farming operations or when so constructed that they can be moved without material damage to the highways; or

(D) firefighting apparatus owned or operated by a political subdivision or a volunteer fire department (as defined in

~~IC 36-8-12-1~~; **IC 36-8-12-2**); and

(2) do not limit the width or height of farm vehicles when loaded with farm products.

SECTION 14. IC 9-19-6-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 11. (a) A farm tractor and a self-propelled farm equipment unit or an implement of ~~husbandry~~ **agriculture** not equipped with an electric lighting system must, at all times required by IC 9-21-7-2, be equipped with the following:

(1) At least one (1) lamp displaying a white light visible from a distance of not less than five hundred (500) feet to the front of the vehicle.

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(2) At least one (1) lamp displaying a red light visible from a distance of not less than five hundred (500) feet to the rear of the vehicle.

(3) Two (2) red reflectors visible from a distance of one hundred (100) feet to six hundred (600) feet to the rear when illuminated by the upper beams of head lamps.

The lights required by this subsection must be positioned so that one (1) lamp showing to the front and one (1) lamp or reflector showing to the rear will indicate the furthest projection of the tractor, unit, or implement on the side of the road used in passing the vehicle.

(b) A combination of farm tractor and towed unit of farm equipment or implement of **husbandry agriculture** not equipped with an electric lighting system must, at all times required by IC 9-21-7-2, be equipped with two (2) red reflectors that meet the following requirements:

(1) Are visible from a distance of one hundred (100) feet to six hundred (600) feet to the rear when illuminated by the upper beams of head lamps.

(2) Are mounted in a manner so as to indicate as nearly as practicable the extreme left and right rear projections of the towed unit or implement on the highway.

(c) A farm tractor and a self-propelled unit of farm equipment or an implement of **husbandry agriculture** equipped with an electric lighting system must, at all times required by IC 9-21-7-2, be equipped with the following:

(1) Two (2) single-beam or multiple-beam head lamps meeting the requirements of section 20 or 21 of this chapter IC 9-21-7-9.

(2) Two (2) red lamps visible from a distance of not less than five hundred (500) feet to the rear, or in the alternative, one (1) red lamp visible from a distance of not less than five hundred (500) feet to the rear and two (2) red reflectors visible from a distance of one hundred (100) feet to six hundred (600) feet to the rear when illuminated by the upper beams of head lamps.

The red lamps or reflectors must be mounted in the rear of the farm tractor or self-propelled implement of **husbandry agriculture** so as to indicate as nearly as practicable the extreme left and right projections of the vehicle on the highways.

(d) A combination of farm tractor and towed farm equipment or towed implement of **husbandry agriculture** equipped with an electric lighting system must, at all times required by IC 9-21-7-2, be equipped as follows:

(1) The farm tractor element of each combination must be equipped with two (2) single-beam or multiple-beam head lamps

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meeting the requirements of section 20 or 21 of this chapter or IC 9-21-7-9.

(2) The towed unit of farm equipment or implement of ~~husbandry~~ **agriculture** element of each combination must be equipped with the following:

(A) Two (2) red lamps visible from a distance of not less than five hundred (500) feet to the rear, or as an alternative, one (1) red lamp visible from a distance of not less than five hundred (500) feet to the rear.

(B) Two (2) red reflectors visible from a distance of one hundred (100) feet to six hundred (600) feet to the rear when illuminated by the upper beams of head lamps.

The red lamps or reflectors must be located so as to indicate as nearly as practicable the extreme left and right rear projections of the towed unit or implement on the highway.

(3) A combination of farm tractor and towed farm equipment or towed implement of ~~husbandry~~ **agriculture** equipped with an electric lighting system must be equipped with the following:

(A) A lamp displaying a white or an amber light, or any shade of color between white and amber, visible from a distance of not less than five hundred (500) feet to the front.

(B) A lamp displaying a red light visible from a distance of not less than five hundred (500) feet to the rear.

The lamps must be installed or capable of being positioned so as to indicate to the front and rear the furthest projection of that combination on the side of the road used by other vehicles in passing that combination.

(e) A farm tractor, a self-propelled farm equipment unit, or an implement of ~~husbandry~~ **agriculture** must not display blinding field or flood lights when operated on a highway.

(f) All rear lighting requirements may be satisfied by having a vehicle with flashing lights immediately trail farm equipment in accordance with IC 9-21-7-11.

SECTION 15. IC 9-19-18-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 3. (a) Except as provided in subsections (b) through (d), a tire on a vehicle moved on a highway may not have on the tire's periphery a block, stud, flange, cleat, or spike or any other protuberance of any material other than rubber that projects beyond the tread of the traction surface of the tire.

(b) ~~Farm machinery~~ **Implements of agriculture** may use tires having protuberances that will not injure the highway.

(c) Tire chains of reasonable proportions may be used upon a

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vehicle when required for safety because of snow, ice, or other conditions tending to cause a vehicle to skid.

(d) From October 1 to the following May 1, a vehicle may use tires in which have been inserted ice grips or tire studs of wear-resisting material, installed in a manner that provides resiliency upon contact with the road, with projections that do not exceed three thirty-seconds (3/32) of an inch beyond the tread of the traction surface of the tire, and constructed to prevent any appreciable damage to the road surface.

SECTION 16. IC 9-19-18-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 4. The Indiana department of transportation and local authorities in their respective jurisdictions may in their discretion issue special permits authorizing the operation upon a highway of:

(1) traction engines; ~~or~~

(2) tractors having movable tracks with transverse corrugations upon the periphery of movable tracks; or

(3) farm tractors or ~~other farm machinery~~, **implements of agriculture**;

the operation of which upon a highway would otherwise be prohibited under this chapter.

SECTION 17. IC 9-20-2-2, AS AMENDED BY P.L.1-1999, SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 2. (a) As used in this section, "farm vehicle loaded with a farm product" includes a truck hauling unprocessed leaf tobacco.

(b) Except for interstate highway travel, this article does not apply to the following:

(1) Machinery or equipment used in highway construction or maintenance by the Indiana department of transportation, counties, or municipalities.

~~(2) Farm drainage machinery.~~

~~(3)~~ **(2)** Implements of ~~husbandry~~ **agriculture** when used during farming operations or when so constructed that the implements can be moved without material damage to the highways.

(c) This article does not apply to firefighting apparatus owned or operated by a political subdivision or volunteer fire department (as defined in IC 36-8-12-2).

(d) Except for interstate highway travel, this article does not limit the width or height of a farm vehicle loaded with a farm product.

SECTION 18. IC 9-21-8-27 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 27. (a) Except as provided in subsection (b), a stop or turn signal required under this chapter may be given by means of the hand and arm or by a signal lamp

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or lamps or mechanical signal device.

(b) This subsection does not apply to farm tractors and implements **of agriculture**. A motor vehicle in use on a highway must be equipped with and a required signal shall be given by a signal lamp or lamps or mechanical signal device when either of the following conditions exist:

(1) The distance from the center of the top of the steering post to the left outside limit of the body, cab, or load of the motor vehicle exceeds twenty-four (24) inches.

(2) The distance from the center of the top of the steering post to the rear limit of the body or load of the motor vehicle exceeds fourteen (14) feet. This measurement applies to a single vehicle and a combination of vehicles.

SECTION 19. IC 9-21-8-46 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 46. A person may not drive or operate an implement of ~~husbandry~~ **agriculture** upon any part of an interstate highway.

SECTION 20. IC 9-21-8-47, AS AMENDED BY P.L.1-1999, SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 47. The following vehicles must be moved or operated so as to avoid any material damage to the highway or unreasonable interference with other highway traffic:

(1) Machinery or equipment used in highway construction or maintenance by the Indiana department of transportation, counties, or municipalities.

(2) Farm drainage machinery.

(3) Implements of ~~husbandry~~ **agriculture**.

(4) Firefighting apparatus owned or operated by a political subdivision or a volunteer fire department (as defined in IC 36-8-12-2).

(5) Farm vehicles loaded with farm products.

SECTION 21. IC 9-24-1-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 7. Sections 1 through 5 of this chapter do not apply to the following individuals:

(1) An individual in the service of the armed forces of the United States while operating an official motor vehicle in that service.

(2) An individual while operating: ~~an~~

(A) ~~a~~ road roller;

(B) road construction or maintenance machinery, except where the road roller or machinery is required to be registered under Indiana law;

(C) ~~a~~ ditch digging apparatus;

(D) ~~a~~ well drilling apparatus;

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- 1 (E) a concrete mixer; or  
 2 (F) a farm tractor or an implement of husbandry, agriculture;  
 3 that is being temporarily drawn, moved, or propelled on an  
 4 Indiana public highway.  
 5 (3) A nonresident who:  
 6 (A) is at least sixteen (16) years and one (1) month of age; and  
 7 (B) has in the nonresident's immediate possession a valid  
 8 operator's license that was issued to the nonresident in the  
 9 nonresident's home state or country;  
 10 while operating a motor vehicle in Indiana only as an operator.  
 11 (4) A nonresident who:  
 12 (A) is at least eighteen (18) years of age; and  
 13 (B) has in the nonresident's immediate possession a valid  
 14 chauffeur's license that was issued to the nonresident in the  
 15 nonresident's home state or country;  
 16 while operating a motor vehicle upon a public highway, either as  
 17 an operator or a chauffeur.  
 18 (5) A nonresident who:  
 19 (A) is at least eighteen (18) years of age; and  
 20 (B) has in the nonresident's immediate possession a valid  
 21 license issued by the nonresident's home state for the operation  
 22 of any motor vehicle upon a public highway when in use as a  
 23 public passenger carrying vehicle;  
 24 while operating a motor vehicle upon a public highway.  
 25 (6) A nonresident whose home state or country does not require  
 26 the licensing of operators or chauffeurs and who has not been  
 27 licensed as an operator or a chauffeur in the nonresident's home  
 28 state or country as an operator if the nonresident is at least sixteen  
 29 (16) years and thirty (30) days of age and less than eighteen (18)  
 30 years of age or as a chauffeur if the nonresident is at least  
 31 eighteen (18) years of age, for not more than sixty (60) days in  
 32 any one (1) year if the following conditions exist:  
 33 (A) The unlicensed nonresident is the owner of the motor  
 34 vehicle or the authorized driver of the vehicle.  
 35 (B) The vehicle has been registered for the current year in the  
 36 state or country of which the owner is a resident.  
 37 (C) The motor vehicle at all times displays a registration plate  
 38 issued in the home state or country of the owner.  
 39 (D) The nonresident owner or driver has in the owner's or  
 40 driver's immediate possession a registration card evidencing  
 41 ownership and registration in the owner's or driver's home  
 42 state or country or is able at any required time or place to do

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the following:

(i) Prove lawful possession or the right to operate the motor vehicle.

(ii) Establish the nonresident's proper identity.

(7) An individual who is legally licensed to operate a motor vehicle in the state of the individual's residence and who is employed in Indiana, subject to the restrictions imposed by the state of the individual's residence.

(8) A new resident of Indiana who possesses an unexpired driver's license issued by the resident's former state of residence, for a period of sixty (60) days after becoming a resident of Indiana.

(9) An individual who is an engineer, a conductor, a brakeman, or another member of the crew of a locomotive or a train that is being operated upon rails, including the operation of the locomotive or the train on a crossing over a street or a highway. An individual described in this subdivision is not required to display a license to a law enforcement officer in connection with the operation of a locomotive or a train in Indiana.

SECTION 22. IC 9-29-5-42 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 42. (a) Except as provided in subsection (c), vehicles not subject to IC 9-18-2-8 shall be registered at one-half (1/2) of the regular rate, subject to IC 9-18-2-7, if the vehicle is registered after July 31 of any year. This subsection does not apply to the following:

(1) A farm tractor. ~~used in transportation:~~

~~(2) Special farm machinery:~~

~~(3)~~ (2) Semitrailers registered on a five (5) year or permanent basis under IC 9-18-10-2.

(b) Except as provided in subsection (c), subsection (a) and IC 9-18-2-7 determine the registration fee for the registration of a vehicle subject to registration under IC 9-18-2-8(c), IC 9-18-2-8(d), and IC 9-18-2-8(e) and acquired by an owner subsequent to the date required for the annual registration of vehicles by an owner set forth in IC 9-18-2-8.

(c) Subject to subsection (d), a vehicle subject to the International Registration Plan that is registered after September 30 shall be registered at a rate determined by the following formula:

STEP ONE: Determine the number of months before April 1 of the following year beginning with the date of registration. A partial month shall be rounded to one (1) month.

STEP TWO: Multiply the STEP ONE result by one-twelfth (1/12).

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1 STEP THREE: Multiply the annual registration fee for the vehicle  
2 by the STEP TWO result.

3 (d) If the department of state revenue adopts rules under IC 9-18-2-7  
4 to implement staggered registration for motor vehicles subject to the  
5 International Registration Plan, a motor vehicle subject to the  
6 International Registration Plan that is registered after the date  
7 designated for registration of the motor vehicle in rules adopted under  
8 IC 9-17-2-7 shall be registered at a rate determined by the following  
9 formula:

10 STEP ONE: Determine the number of months before the motor  
11 vehicle must be re-registered. A partial month shall be rounded to  
12 one (1) month.

13 STEP TWO: Multiply the STEP ONE result by one-twelfth  
14 (1/12).

15 STEP THREE: Multiply the annual registration fee for the vehicle  
16 by the STEP TWO result.

17 SECTION 23. IC 10-11-2-26, AS ADDED BY P.L.2-2003,  
18 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
19 JULY 1, 2004]: Sec. 26. (a) The superintendent may assign qualified  
20 persons who are not state police officers to supervise or operate  
21 permanent or portable weigh stations. A person assigned under this  
22 section may stop, inspect, and issue citations to operators of trucks and  
23 trailers having a declared gross weight of at least eleven thousand  
24 (11,000) pounds and buses at a permanent or portable weigh station or  
25 while operating a clearly marked Indiana state police vehicle for  
26 violations of the following:

27 (1) IC 6-1.1-7-10.

28 (2) IC 6-6-1.1-1202.

29 (3) IC 6-6-2.5.

30 (4) IC 6-6-4.1-12.

31 (5) IC 8-2.1.

32 (6) IC 9-18.

33 (7) IC 9-19.

34 (8) IC 9-20.

35 (9) IC 9-21-7-2 through IC 9-21-7-11.

36 (10) IC 9-21-8-41 pertaining to the duty to obey an official traffic  
37 control device for a weigh station.

38 (11) IC 9-21-8-45 through IC 9-21-8-48.

39 (12) IC 9-21-9.

40 (13) IC 9-21-15.

41 (14) IC 9-24-1-1 through IC 9-24-1-3.

42 (15) IC 9-24-1-7.

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(16) Except as provided in subsection (c), IC 9-24-1-6, IC 9-24-6-16, IC 9-24-6-17, and IC 9-24-6-18, commercial driver's license.

(17) IC 9-24-4.

(18) IC 9-24-5.

(19) IC 9-24-11-4.

(20) IC 9-24-13-3.

(21) IC 9-24-18-1 through IC 9-24-18-2.

(22) IC 9-25-4-3.

(23) IC 9-28-4.

(24) IC 9-28-5.

(25) IC 9-28-6.

(26) ~~IC 9-29-5-11~~ through IC 9-29-5-13.

(27) IC 9-29-5-42.

(28) IC 9-29-6-1.

(29) IC 13-17-5-1, IC 13-17-5-2, IC 13-17-5-3, or IC 13-17-5-4.

(30) IC 13-30-2-1.

(b) For the purpose of enforcing this section, a person assigned under this section may detain a person in the same manner as a law enforcement officer under IC 34-28-5-3.

(c) A person assigned under this section may not enforce IC 9-24-6-14 or IC 9-24-6-15.

SECTION 24. IC 13-11-2-245 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 245. (a) "Vehicle", for purposes of IC 13-17-5, refers to a vehicle required to be registered with the bureau of motor vehicles and required to have brakes. The term does not include the following:

~~(1) Farm tractors.~~

~~(2) Implements of husbandry.~~

~~(3) Farm tractors used in transportation.~~

~~(4) (1) Mobile homes (house trailers).~~

~~(5) (2) Trailers weighing not more than three thousand (3,000) pounds.~~

~~(6) (3) Antique motor vehicles.~~

(b) "Vehicle", for purposes of IC 13-18-12, means a device used to transport a tank.

(c) "Vehicle", for purposes of IC 13-20-4, refers to a municipal waste collection and transportation vehicle.

(d) "Vehicle", for purposes of IC 13-20-13-7, means a motor vehicle and types of equipment, machinery, implements, or other devices used in transportation, manufacturing, agriculture, construction, or mining. The term does not include the following:

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(1) A lawn and garden tractor that is propelled by a motor of not more than twenty (20) horsepower.

(2) A semitrailer.

(e) "Vehicle", for purposes of IC 13-20-14, has the meaning set forth in IC 9-13-2-196.

SECTION 25. IC 26-1-9.1-311, AS ADDED BY P.L.57-2000, SECTION 45, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 311. (a) Except as otherwise provided in subsection (d), the filing of a financing statement is not necessary or effective to perfect a security interest in property subject to:

(1) a statute, regulation, or treaty of the United States whose requirements for a security interest's obtaining priority over the rights of a lien creditor with respect to the property preempt IC 26-1-9.1-310(a);

(2) any Indiana certificate-of-title statute covering automobiles, trailers, mobile homes, ~~or boats, farm tractors or the like~~, which provides for a security interest to be indicated on the certificate as a condition or result of perfection; or

(3) a certificate-of-title statute of another jurisdiction which provides for a security interest to be indicated on the certificate as a condition or result of the security interest's obtaining priority over the rights of a lien creditor with respect to the property.

(b) Compliance with the requirements of a statute, regulation, or treaty described in subsection (a) for obtaining priority over the rights of a lien creditor is equivalent to the filing of a financing statement under IC 26-1-9.1. Except as otherwise provided in subsection (d), IC 26-1-9.1-313, IC 26-1-9.1-316(d), and IC 26-1-9.1-316(e) for goods covered by a certificate of title, a security interest in property subject to a statute, regulation, or treaty described in subsection (a) may be perfected only by compliance with those requirements, and a security interest so perfected remains perfected notwithstanding a change in the use or transfer of possession of the collateral.

(c) Except as otherwise provided in subsection (d), IC 26-1-9.1-316(d), and IC 26-1-9.1-316(e), duration and renewal of perfection of a security interest perfected by compliance with the requirements prescribed by a statute, regulation, or treaty described in subsection (a) are governed by the statute, regulation, or treaty. In other respects, the security interest is subject to IC 26-1-9.1.

(d) During any period in which collateral, subject to a statute specified in subsection (a)(2), is inventory held for sale or lease by a person or leased by that person as lessor, and that person is in the business of selling goods of that kind, this section does not apply to a

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1 security interest in that collateral created by that person, but instead,  
2 the filing provisions of IC 26-1-9.1-501 through IC 26-1-9.1-527 apply.  
3 SECTION 26. THE FOLLOWING ARE REPEALED [EFFECTIVE  
4 JULY 1, 2004]: IC 6-6-2.5-11; IC 9-13-2-55; IC 9-13-2-57;  
5 IC 9-13-2-169; IC 9-29-5-11; IC 9-29-5-12; IC 9-29-5-19.

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